

Joseph J. Saltarelli
Jacob F.M. Oslick
HUNTON & WILLIAMS LLP
200 Park Avenue
New York, New York 10166
(212) 309-1000

Attorneys for Wachovia Bank, N.A.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
COASTAL SHEET METAL CORP.,	:
	:
Plaintiff,	:
	:
- against -	:
	:
WACHOVIA BANK, N.A.,	:
	:
Defendant.	:
-----X	

07-CV-6898-LAP

**DECLARATION OF JOSEPH J. SALTARELLI
IN SUPPORT OF WACHOVIA BANK, N.A.'S
MOTION TO DISMISS THE COMPLAINT**

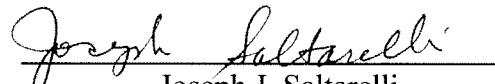
Joseph J. Saltarelli declares the following, pursuant to 28 U.S.C. § 1746:

1. I am counsel to Defendant Wachovia Bank, N.A. ("Wachovia"). I am familiar with this matter and make this Declaration in support of Wachovia's motion to dismiss the Complaint, pursuant to Fed. R. Civ. P. 12(b). This action asserts claims of conversion and breach of contract related to a series of checks stolen by a former employee of plaintiff Coastal Sheet Metal Corp. ("Coastal"), fraudulently indorsed by the employee, and then deposited in a Wachovia account maintained by the employee in New Jersey. As set forth in the accompanying Memorandum of Law, the conversion claim is time-barred under the applicable statute of limitations and the contract claim fails to state a claim upon which relief may be granted.

2. This action was originally commenced in the Supreme Court of New York, New York County, on or about June 1, 2007, and was removed timely to this Court on July 31, 2007, pursuant to 28 U.S.C. §§ 1332, 1441 and 1446. A true and complete copy of the Complaint is annexed hereto as Exhibit A.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 21, 2007



Joseph J. Saltarelli

DECLARATION OF SERVICE

Bradford C. Mulder, hereby declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that:

I am the Managing Clerk for the law firm of Hunton & Williams LLP, attorneys for Wachovia Bank, N.A.

That on September 21, 2007, I served a true copy of the attached Declaration of Joseph J. Saltarelli in Support of Wachovia Bank, N.A.'s Motion to Dismiss the Complaint, with exhibit, on Plaintiff's counsel via the Court's ECF System and via First Class Mail, to the address listed below, by depositing the same in a duly enclosed and sealed wrapper, with the correct postage thereon, in an official letter box duly maintained by the Government of the United States of America within the State of New York.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 21, 2007.


Bradford C. Mulder

TO: Brian L. Gardner, Esq.
Sullivan Chester & Gardner, P.C.
475 Park Avenue South, 33rd Floor
New York, New York 10016